

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

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WRIT PETITION NO : 18365 of 2005

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Date: 19.08.2005

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Between:

Md. Ghouse Khan (M.G.Khan)

Nalgonda.

PETITIONER

Vs.

1. The Vice-Chairman and Managing Director,
A.P.S.R.T.C., Musheerabad, Hyderabad and another.

RESPONDENTS

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

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WRIT PETITION NO : 18365 of 2005

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ORDER:

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This writ petition is filed by the petitioner aggrieved by the action of the respondents in neither providing any alternative employment to him as per Section 47 of the Persons with Disabilities (equal opportunities, protection of rights and full participation) Act, 1995 (for short 'the Act 1 of 1996") nor paying the additional monetary benefits to which he is entitled to under the scheme of the Corporation or in terms of Regulation 5(B) of the amended Service Regulations of the Corporation.

It is stated that the petitioner was appointed as a Driver Grade-II in the respondent Corporation on 01.07.1985. While he was in service, he was sent for medical checkup and in the course of the medical checkup, he was found unfit for the post of A.1. Category. Therefore, he was made to retire from service on that ground in terms of Regulation 6(A)(4) of the APSRTC Employees Service Regulations, 1964 by proceedings dated 23.05.2002.

The grievance of the petitioner is that even though he is entitled for providing alternative employment in terms of the Act 1 of 1996 or alternatively entitled to additional monetary benefits under the scheme or under the amended Service Regulations, the same were not provided to him. Therefore, the petitioner has come up with the present writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for

the respondent Corporation.

As the petitioner was made to retire from service by an order dated 23.05.2002, on medical invalidation, it is not proper to direct the respondent Corporation to provide employment to the petitioner now, at this stage, i.e., after a lapse of more than three years. But, however, the petitioner is entitled to the additional monetary benefits as per the scheme of the Corporation.

Under the above circumstances, the writ petition is disposed of directing the petitioner to make an application to the respondent Corporation for payment of additional monetary benefits. On such application being made by the petitioner, the respondent Corporation is directed to consider the same and pass appropriate orders granting monetary benefits, to which the petitioner is entitled to, within a period of six weeks from the date of receipt of the application of the petitioner. No order as to costs.

S. Ananda Reddy, J

Date: 19.08.2005

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